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Paper No. 13

In re Application of
Saket Chadda *et al*
Application No. 10/052,010
Filed: January 1, 2003
Attorney Docket No. SFI 1017

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: DECISION ON PETITION
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This is a decision on the petition filed by facsimile transmission on December 30, 2003 by which petitioners request withdrawal of the examiner's holding that this application stands abandoned for failure to file a reply to the Office letter dated May 2003. The petition is being treated as a petition to withdraw the holding of abandonment considered pursuant 37 CFR 1.181 rather than as a petition to revive, and no fee is required.

The petition is granted.

Petitioner alleges that this application is not abandoned because a timely reply to the Office letter in question was in fact filed on June 12, 2003. Petitioner has supported this allegation by submitting a copy of the reply, which had affixed thereto a 37 CFR 1.8(a) certificate of transmission dated June 12, 2003. Based upon this showing, it is clear that this application is not abandoned. See 37 CFR 1.8(b).

Accordingly, the Notice of Abandonment is hereby vacated, the holding of abandonment is withdrawn, and the application is restored to pending status. The application will be forwarded to the examiner for action on the reply filed on July 12, 2003.

PETITION GRANTED.

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